

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Wyoming Regulatory Office CEN-WO-OD-RWY

FILE NUMBER: 200440325

REGULATORY PROJECT MANAGER: Michael Borgan **Date:** January 13, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office** Y (Y/N) **Date:** January 13, 2005
At the project site (Y/N) **Date:**

PROJECT LOCATION INFORMATION:

State: Wyoming

County: Sheridan

Center coordinates of site by latitude & longitudinal coordinates:

Latitude 44 hours 46 minutes 52.7 seconds
Longitude 107 hours 00 minutes 25.2 seconds

Approximate size of site/property (including uplands & in acres): 10 acres

Name of waterway or watershed: Big Goose Creek

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): Wetlands have no direct surface connection to the Big Goose Creek or other waters of the United States. Therefore, they are isolated.